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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 1/22/07

UNITED STATES OF AMERICA,)	No. CR 06-00682- RMW
)	
Plaintiff,)	
)	STIPULATION AND <input type="checkbox"/> ORDER EXCLUDING TIME
v.)	
)	
JAIME ESQUIVEL,)	
)	
Defendant.)	SAN JOSE VENUE
)	

On December 11, 2006, the parties in this case appeared before the Court for a status conference. The parties jointly requested that the case be continued from December 11, 2006 to January 8, 2007, at 9:00 a.m. in order for counsel for defendant to review the discovery in the case. In addition, the parties requested an exclusion of time under the Speedy Trial Act from December 11, 2006 until January 8, 2007. Defendant, who was present with his attorney Assistant Federal Public Defender Cynthia Lie, agreed to the exclusion, as did AUSA Thomas O'Connell. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel.

1 SO STIPULATED:

KEVIN V. RYAN
United States Attorney

2
3 DATED:

_____/s/_____
THOMAS M. O'CONNELL
Assistant United States Attorney

4
5 DATED:

_____/s/_____
CYNTHIA C. LIE
Assistant Federal Public Defender
Counsel for Mr. Esquivel

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7
8
9 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
10 under the Speedy Trial Act from December 11, 2006 until January 8, 2007. The Court finds,
11 based on the aforementioned reasons, that the ends of justice served by granting the requested
12 continuance outweigh the best interest of the public and the defendant in a speedy trial. The
13 failure to grant the requested continuance would deny defense counsel reasonable time necessary
14 for effective preparation, taking into account the exercise of due diligence, and would result in a
15 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made
16 under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

17 SO ORDERED.

18
19 DATED: 1/22/07



RONALD M. WHYTE
United States District Judge